

March 11, 1992

LB 1063  
LR 219

Welcome to the Chambers. Thank you. Senator Withem.

SENATOR WITHEM: Madam President, members of the body, rather quickly, Senator Morrissey had asked for a rationale as to why this is not a particularly good amendment. Point number one, you heard Senator Lindsay this morning point out to you legal arguments that are so simplistic that I even...even I can follow them, that probably the net impact of this alternative one would be that \$1.2 billion of property tax burden would be borne by motor vehicles in the state. That's a problem for me. I don't know if anybody wants to pay three or four times the value of their automobile in taxes each year. That may be an exaggeration, I don't know what the impact would be, but that would be the impact of exempting all tangible personal property but making real property continue to be uniform with all other tangible property. Point two, a reason for opposition to this, and think about this just a little bit. This is a point that just came to me and I think it makes a lot of sense. People are now talking about their opposition to the constitutional amendment, LR 219CA are many people who voted for, in both the regular session last year and in the special session, very, very similar concept. I would issue a challenge without setting the two constitutional amendments, the one that you voted for last year and the one you're arguing against now, tell me what the distinction was. And my guess is the real distinction will come down not so much to what is in 219CA, but what's in LB 1063. You don't like the implementing language that's coming along with it, so you're going to vote no on the constitutional amendment and that's fine. I would be very hypocritical if I suggested that it's improper to not vote against the constitutional amendment because you don't like what you think would be the enabling legislation that followed because I did that before what I anticipated to be the enabling legislation that would follow with something I was not excited about. Now that there is enabling legislation there that I can at least be supportive of, I feel more comfortable supporting the constitutional amendment. But you can do what you want to do. You can exempt all personal property with LR 219CA as it is on the board. You don't need a constitutional amendment to do that. You submit LR 219CA to the voters and as soon as that is approved you come in and you try to get all tangible personal property removed from the tax rolls, you'll be able to do it provided you get your 25 votes and a gubernatorial signature or your 30 votes to override the Governor's signature. So we don't need the alternative to do what you want to do. Third point I